

ESTTA Tracking number: **ESTTA689059**

Filing date: **08/12/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91217886
Party	Plaintiff Innovation First, Inc.
Correspondence Address	CHRISTOPHER J BISCHOFF BISCHOFF & ASSOCIATES LTD 1650 PAYNE STREET EVANSTON, IL 60201 UNITED STATES chris@trademarksearch.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Christopher J. Bischoff
Filer's e-mail	chris@trademarksearch.com
Signature	/Christopher J. Bischoff/
Date	08/12/2015
Attachments	Opposer's Motion to Suspend Pending Execution of Settlement Agree- ment.pdf(154737 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

INNOVATION FIRST, INC.,                    )  
  )  
          Opposer,                            )  
  )  
          v.                                    )     Opposition No. 91217886  
  )  
WGI INNOVATIONS, LTD.,                 )  
  )  
          Applicant.                        )

**MOTION TO SUSPEND PENDING EXECUTION OF  
SETTLEMENT AGREEMENT**

Opposer, Innovation First, Inc., Inc., hereby moves to suspend this proceeding pending Applicant's execution of the agreed upon settlement agreement pursuant to 37 CFR § 2.117(c).

The grounds for this motion are as follows:

1.     Currently, the parties have a settlement agreement in place, the terms and conditions of which each side has agreed upon. Opposer is currently waiting for the Applicant to sign the settlement agreement so this proceeding can be terminated. Please see attached **Exhibit A** showing correspondence between the parties regarding settlement of the opposition, wherein Applicant's attorney's email to Opposer's attorney states: "*look forward to wrapping this up.*"

WHEREFORE, for the foregoing reasons, Opposer requests the Board grant this motion and suspend this proceeding as indicated above.

Respectfully submitted,

BISCHOFF & ASSOCIATES, LTD.

By:           /Christopher J. Bischoff/          

Christopher J. Bischoff  
Bischoff & Associates, Ltd.  
1650 Payne Street  
Evanston, IL 60201  
(847) 491-9800 (tel.)  
(847) 491-9801(fax)  
chris@trademarksearch.com  
Attorney for Opposer

**CERTIFICATE OF SERVICE**

I, Christopher J. Bischoff , hereby certify that a copy of the foregoing Motion To Suspend Pending Execution of the Settlement Agreement was served upon Applicant's attorney Geoffrey A Mantooh, Esq., Decker Jones, PC 801 Cherry Street, Suite 2000, Unit #46, Fort Worth, TX 76102 this 12<sup>th</sup> day of August 2015, via first class mail, prepaid.

/Christopher J. Bischoff/

# EXHIBIT A

**Raymond Geraldson**

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**From:** Geoffrey Mantooth <gmantooth@deckerjones.com>  
**Sent:** Tuesday, June 17, 2014 4:25 PM  
**To:** Raymond Geraldson  
**Subject:** RE: WGI Innovations, Ltd. - HEX - Serial No. 86/078,965

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ray:

Sorry for not getting back to you sooner; been tied up in meetings. We'll agree to you filing a 30 day extension. Look forward to wrapping this up. Thanks,

**Geoffrey A. Mantooth**  
DECKER, JONES, MCMACKIN,  
MCCLANE, HALL, & BATES, P.C.  
801 Cherry Street, Unit #46  
Burnett Plaza, Suite 2000  
Fort Worth, Texas 76102-6836  
817.336.2400  
817.336.2181 (Fax)  
[gmantooth@deckerjones.com](mailto:gmantooth@deckerjones.com)  
[Firm Website](#) | [My Bio](#)

**DeckerJones**  
ATTORNEYS AND COUNSELORS

REGISTERED PATENT ATTORNEY – UNITED STATES PATENT AND TRADEMARK OFFICE

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**From:** Raymond Geraldson [<mailto:ray@trademarksearch.com>]  
**Sent:** Friday, June 13, 2014 11:38 AM  
**To:** Geoffrey Mantooth  
**Cc:** Chris Bischoff  
**Subject:** FW: WGI Innovations, Ltd. - HEX - Serial No. 86/078,965

Geoffrey:

The deadline to oppose is set to expire on Jun 18<sup>th</sup>. It appears we will not be able to finalize the settlement before the opposition deadline. We suggest filing a consented to 60 day extension to allow us time to finalize this matter.

Please confirm you consent to filing a 60 day extension of time to oppose.

Thank you. We look forward to hearing from you.

Regards,

Ray

Raymond I. Geraldson III  
Bischoff & Associates, Ltd.  
1650 Payne Street  
Evanston, IL 60201  
T: 847-491-9800  
F: 847-491-9801

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**From:** Raymond Geraldson  
**Sent:** Tuesday, June 03, 2014 5:17 PM  
**To:** 'gmantooth@deckerjones.com'  
**Subject:** FW: WGI Innovations, Ltd. - HEX - Serial No. 86/078,965

Geoffrey:

Writing to touch base with you on the attached settlement agreement.

Thank you.

Regards,

Ray

Raymond I. Geraldson III  
Bischoff & Associates, Ltd.  
1650 Payne Street  
Evanston, IL 60201  
T: 847-491-9800  
F: 847-491-9801

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**From:** Raymond Geraldson  
**Sent:** Thursday, May 08, 2014 4:21 PM  
**To:** 'Geoffrey Mantooth'  
**Cc:** Chris Bischoff  
**Subject:** RE: WGI Innovations, Ltd. - HEX - Serial No. 86/078,965

Geoffrey:

Attached is a copy of the agreement with the revisions you and Chris discussed today. Please let me know if the changes are acceptable and we can finalize the agreement for execution by our clients.

Thank you.

Regards,

Ray

Raymond I. Geraldson III  
Bischoff & Associates, Ltd.  
1650 Payne Street  
Evanston, IL 60201  
T: 847-491-9800  
F: 847-491-9801

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